



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Conference Room, City Hall, 288 Central Avenue
Meeting Date: Monday, December 14, 2015
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Marcia Gasses (Vice Chair), Cora Quisumbing-King, Richard Erickson, Tristan Donovan, Isaac Epstein (Alternate)

STAFF PRESENT: Steve Bird (City Planner)

OTHERS PRESENT: Zach Taylor, Dave Paolini, Frank and Laurie Leichthammer, Tim Winters, Matt Smith

The meeting was convened by Hunt at 5:30 PM.

1. APPROVAL OF THE PRIOR MEETING MINUTES

Gasses moved to approve the November 9, 2015 minutes, Quisumbing-King seconded. Vote: 4-0, Epstein abstained.

2. OLD BUSINESS: NONE

3. NEW BUSINESS

The applicant for the first item was not present so this item was skipped.

- B. Request for Amendment to Timber Harvest Plan on Conservation Easement Lots – David Paolini, 195 Long Hill Road, Assessor's Map A, Lots 18M & 37. Original timber harvest plan approved on 11/13/12. Conservation easement (55.17 acres) held by Dover Conservation Commission.

Dave Paolini was present to explain the differences in the harvest plan. 10 acres will be planted with Christmas trees and 10 acres will be converted to a hayfield.

Bird explained that the owner conducted the timber harvest last spring without seeking or receiving approval of the revised harvest plan. Bird distributed a letter he sent in October asking the owner to stop stump removal until the revised plan is approved by the Conservation Commission.

Hunt: Why did you go ahead with the tree clearing before coming back to us?

Paolini: I thought I had an okay to proceed. I hired a forester to handle it for me. My son went to UNH for agriculture and he wants to create a hayfield so we can grow our own hay and he wants to plant 10 acres of Christmas trees.

Gasses: In looking at your revised harvest plan, it is not clear what your plan is for stumps.

Paolini: If I bury stumps I will have to put a notice in the deed. It is really expensive to grind the stumps.

Tim Winters: If I could have a chance to speak, I am an abutter and have complained previously about the tree clearing. I live at 29 Fieldstone Drive and I have some aerial photographs showing the recent harvest compared to the previous forest. The deed says that the parcel is supposed to remain predominantly forested. The tree removal has changed the neighborhood. You can really hear the noise from the highway and the deer are gone.

Gasses: I think the activity is consistent with the deed. The deer will come back.

Paolini: There are still plenty of deer on the property. When I purchased the land I understood the deed. I want to plant Christmas trees. The previous timber harvest by the previous owner left a lot of slash and poor quality trees. I need time to get the land in the condition I hope for.

Hunt: My issue is not the cutting of trees, but it is not notifying the commission prior to cutting.

Gasses: I feel bad for the people that are impacted by the buffer but the conservation easement doesn't guarantee that the buffer would remain forever.



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Winters: There is no evidence of silt fences or best management practices being used during the harvest.

Would tree clearing be allowed up to 50%? How do you interpret the deed?

Paolini: The hay fields will look nice and will be used to feed the cattle. That is why the tree clearing was done.

Winters: I would ask for agreement that no more tree clearing be done. I am not in favor of the stump berm.

Quisumbing-King: Can the wetland areas be planted with hay or does that require permits?

Gasses: Hay grows in wet areas all the time, but we should talk with DES.

Hunt: We have had other lots with wetlands that were mowed on a regular basis.

Bird: I can check with DES on the rules related to planting hay in wetlands.

Hunt: The forester is supposed to manage the tree cutting.

Paolini: I relied on Robert Graves, my forester to get the approvals like the intent to cut permit.

Gasses: I don't have any issues as long as he is in compliance with DES regulations.

Winters: I would ask that no additional clearing be allowed.

Paolini: I am not planning on cutting more trees. I need time to deal with the stumps once the frost hits so there will be less impact.

Gasses: I would want to see some erosion controls in place. I want to check with the state on wetlands and check with the NRCS on the land conversion.

Winters: I question the stump removal plan. I did not invite all my neighbors to the meeting but do not take their absence as not being concerned.

Paolini: I have to stay 75 feet away from the property lines when burying stumps. I can put them where ever you want.

Gasses made a motion to table the revised harvest management plan until the January meeting, Epstein seconded. Vote: 6-0.

Gasses left the meeting at this point.

The applicant for item A was now present so that item was taken up.

- A. NHDES Wetlands Permit for Joan & Richard Vanlandingham (Agent: Riverside and Pickering Marine Contractors), Assessor's Map M, Lot 76-10, zoned R-40, located at 62 Waterloo Circle.

Zach Taylor was present to explain the proposal to conduct work in the tidal Piscataqua River to expand an existing dock by adding two 10' x 20' seasonal floats (400 sq. ft.). The current structure was permitted in 2003. The dock is 40 feet short of deep water access. The lot line to the south limited the length of the dock, but they did a lot line adjustment and bought some more property so now they can have longer dock. The gangway is already at the maximum length. The boat will no longer be sitting in mud. Don't want to build more fixed pier.

Bird: Is this increasing the number of boat slips?

Taylor: Technically they don't have any slips due to the mud, under the state definition. They will have one slip of each side of the dock. This will be less impact.

Hunt: How will the seasonal floats be taken out?

Taylor: By a local marine company. They will try to place the dock on the riverbank but most likely will have to float them downstream.

Donovan made a motion to endorse the NHDES application, Quisumbing-King seconded. Vote: Unanimous



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- C. NHDES Wetlands Permit and City of Dover Conditional Use Permit for Frank Leichthammer at 15 Cote Drive. Proposal is to build a 640 sq. ft. (40' x 16') garage within the 100 foot Conservation District adjacent to the tidal Piscataqua River.

Frank Leichthammer was present to explain the proposed garage he is building within 48 feet of the reference line. The purpose of the garage is to store my vehicles and pontoon boat. I received a building permit for the structure, but did not know I needed to get a DES permit. No one from the city told me about that requirement, until I was already building. I now know a lot more about the permitting requirements.

Hunt: Where are you with DES?

Leichthammer: The application was submitted on November 20th, but since construction had started they don't have to make a decision within 30 days. I will move the garage 8 feet closer to the street to lessen the impact. I have to stay 5 feet from the generator, which I will have to move. The alternative of the garage in the front of the house would not fit with the neighborhood.

Donovan: The question is whether the use is reasonable and how the impact can be reduced. The only way would be to reduce the size of the structure.

Leichthammer: The building is as long as it is to fit my vehicles and boats.

Donovan: It is a balance between minimization and need. The increase in impervious coverage is an issue. I think there is a reasonable balance.

Bird confirmed that the garage would have no gutters.

Bird: Could roof runoff be handled to mitigate the impact?

Donovan: With a dirt garage floor you could not use a drip edge. Grass would be the best treatment to absorb water from the roof as it would provide some treatment before the water enters the river.

Donovan made a motion to endorse the NHDES application and Conditional Use Permit, with the condition that the disturbed area around the garage be loamed and seeded with grass to mitigate the runoff, Erickson seconded. Vote: 5-0.

4. REPORT FROM THE CHAIR

- B. Review of Correspondence Received From NH Department of Environmental Services

Bird reviewed the following letters from the DES Wetlands Bureau:

1. Approval of a shoreland permit from NHDES for a house for Dover Point Properties on Shore Ln.
2. Approval of a shoreland permit from NHDES for Whittier Street Bridge for City of Dover.
3. Notice of hearing for appeal of NHDES denial of dock permit from Miles Cook of 22 Isaac Lucas Circle held on December 8th.

5. OTHER BUSINESS:

Bird asked for the Conservation Commission to endorse an application for a project of special merit that the Strafford Regional Planning Commission and the NH Coastal Program are submitting. The project includes the preparation of a Climate Adaptation Chapter for the Dover master plan.

Quisumbing-King moved to endorse the application described above, Erickson seconded. Vote: 5-0.

Bird distributed information on the NH Coastal Risks and Hazards Commission workshop scheduled for Thursday, December 17th from 6-8 pm at the Great Bay Discovery Center.

6. ADJOURNMENT

Quisumbing-King moved to adjourn the meeting at 7:22 pm, Erickson seconded. Vote: Unanimous